

## RECEIVED

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 $\label{eq:BellSouth Telecommunications} \textbf{BellSouth Telecommunications, Inc.}$ 

333 Commerce Street Suite 2101 Nashville, TN 37201-3300

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T.R.A. DOCKET ROOM

Guy M. Hicks General Counsel

615 214 6301 Fax 615 214 7406

May 12, 2003

### VIA HAND DELIVERY

Hon. Sara Kyle Chairman Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243-0505

Re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Intermedia Communications Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Docket No. 03-00337

### Dear Chairman Kyle:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Intermedia Communications Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and fourteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated April 4, 2003. The Amendment modifies the Notice provision in the Agreement.

Thank you for your attention to this matter.

Sincerely yours,

Guy M. Hicks

cc: Vice President, National Contract & Carrier Management, MCI WorldCom, Inc.

Vice President & Chief Network Counsel, WorldCom, Inc.

Senior Manager, Carrier Agreements, MCI WorldCom, Inc.

Commercial Counsel, MCI WorldCom, Inc.

### BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Intermedia Communications Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996

Docket	No.	
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## PETITION FOR APPROVAL OF THE AMENDMENT TO THE INTERCONNECTION AGREEMENT NEGOTIATED BETWEEN BELLSOUTH TELECOMMUNICATIONS, INC. AND INTERMEDIA COMMUNICATIONS INC. PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, Intermedia Communications, Inc. ("Intermedia") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated April 4, 2003 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Intermedia and BellSouth state the following:

- 1. Intermedia and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Intermedia. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on April 24, 2003.
- 2. The parties have recently negotiated an Amendment to the Agreement which amends the Notice provision in the Agreement. A copy of the Amendment is attached hereto and incorporated herein by reference.

3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Intermedia and BellSouth are submitting their Amendment to the TRA for its consideration and approval. The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and Intermedia within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Intermedia and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Intermedia and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 13th day of way, 2003.

Respectfully submitted,

BELLSOUTH FELECOMMUNICATIONS, INC.

By:

Guy M. Hicks

333 Commerce Street, Suite 2101

Nashville, Tennessee 37201-3300

(615) 214-6301

Attorney for BellSouth

# AMENDMENT TO THE AGREEMENT BETWEEN INTERMEDIA COMMUNICATIONS INC. AND BELLSOUTH TELECOMMUNICATIONS, INC. DATED APRIL 4, 2003

Pursuant to this Amendment, (the "Amendment"), Intermedia Communications Inc. ("MCIm"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated April 4, 2003 ("Agreement") and shall be deemed effective as of thirty (30) calendar days after the date of the final signature on this document.

WHEREAS, BellSouth and MCIm entered into the Agreement on April 4, 2003, and;

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

- 1. The Parties desire to amend the Interconnection Agreement by adding the UNE Service Advancement Date Charge contained in Exhibit 1 to Attachment 1 Table 1;
- 2. The Parties desire to amend The General Terms and Conditions Part A, Section 13, to change the MCIm contact information as follows:

#### Intermedia Communications Inc.

MCI WorldCom, Inc. 5055 Northpoint Parkway Alpharetta, GA 30022 Attn: Vice President, National Contract & Carrier Management

Copy to: Vice President & Chief Network Counsel WorldCom, Inc. 1133 19<sup>th</sup> Street Washington, DC 20036

Senior Manager
Carrier Agreements
MCI WorldCom, Inc.
205 North Michigan Avenue
Chicago, IL 60601

Commercial Counsel MCI WorldCom, Inc. 5055 Northpoint Parkway Alpharetta, GA 3002

3. All of the other provisions of the Agreement, dated April 4, 2003, shall remain in full force and effect.

4. Either or both of the Parties is authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

Intermedia Communications Inc.	BellSouth Telecommynications, Inc.
By: Will of the	By: la ho
Name: Marcel Henry	Name: EUZAAEXA R. A SHIRDISHI
Title: Vice-President, National Contract	Title: Dishora
& Carrier Management	
Date: 3/11/03	Date: 3/17/03

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NET	VORK E	LEMENTS - Tennessee			,		,							Attachment:1		Tab	le:1
CATE	ORY	RATE ELEMENTS	Interim	Zone	BCS	usoc			RATES(\$)			Svc Order Submitted Elec per LSR	Submitted Manually per LSR		Incremental Charge - Manual Svc Order vs. Electronic- Add'i	incremental Charge - Manual Svc Order vs. Electronic- Disc 1st	Incremental Charge - Manual Svc Order vs. Electronic- Disc Add'l
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UNE S	ERVICE	DATE ADVANCEMENT CHARGE													-	- Outers	
		The Expedite charge will be maintained commensurate with Be	liSouth's	FCC No	1 Tariff, Section 5 a	s applicable									<del></del>		
	1	UNE Expedite Charge per Circuit or Line Assignable USOC, per		-	ALLUNE	SDASP		200.00								-	

### CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the 3 day of 4, 2003:

MCI WorldCom, Inc. 5055 Northpoint Parkway Alpharetta, GA 30022 Attn: Vice President, National Contract & Carrier Management

Vice President & Chief Network Counsel WorldCom, Inc. 1133 19<sup>th</sup> Street Washington, DC 20036

Senior Manager Carrier Agreements MCI WorldCom, Inc. 205 North Michigan Avenue Chicago, IL 60601

Commercial Counsel MCI WorldCom, Inc. 5055 Northpoint Parkway Alpharetta, GA 30022

